

Serial No. 09/400,132

- 2 -

Art Unit: 2131

Matsumoto:

Matsumoto describes a key management server arranged at the same position as a terminal unit as viewed from a chat server. A channel secret key unique to each channel is generated by the key management server and distributed to a chat client so that the communication can be kept secret, even when a chat server low in reliability is used.

(Matsumoto, abstract).

Foldare:

Foldare describes a private broadcasting system including communication terminals which are coupled to both a broadcasting network and a point-to-point network. The private broadcasting device included in the broadcasting system is coupled to a database that contains a pool of encryption keys and a pool of channel numbers. The encryption keys and channel numbers are assigned to a private broadcast when the communicating partners of the private broadcast request are available for communication.

Combination neither describes nor suggests the invention:

In order to support a rejection under 35 U.S.C. §103, the combination of references should show or suggest all limitations of the claimed invention. Applicants' have amended the independent claims of the present invention to more succinctly recite patentable limitations of the claims. For example, independent claim 1 has been amended to recite "...receiving a request from a requestor to join the multicast session for a time period ... *selecting a virtual channel from a plurality of virtual channels for communications by the requestor in response to a desired*

Serial No. 09/400,132

- 3 -

Art Unit: 2131

*time period of communication by the requestor...*" No such structure is shown or suggested in Matsumoto, Foladare, or the combination thereof.

Rather, Matsumoto describes, at col. 6, lines 26-20 "... The user connects to the chat server 54 by chat clients (terminal units) ... and selectively connects to channels A to C..." Thus it would appear to Applicant that Matsumoto allows the selection of channels to be user controlled.

Foldare describes, at col. 2, lines 18-22, "... The encryption keys and channel numbers are assigned by the private broadcasting device 102 based on private broadcast requests sent by any one of the terminals..."

Thus, no mention or suggestion is found in Matsumoto or Foladare, alone or in combination, of "*..... selecting a virtual channel from a plurality of virtual channels for communications by the requestor in response to a desired time period of communication by the requestor...*" as now more clearly recited in the claims. For at least this reason, claim 1 is patentably distinct over the combination of references, and the rejection should be withdrawn.

Independent claims 17, 32, 47, 63 and 78 have been amended to include limitations similar to that recited above with regard to claim 1, and are therefore allowable with claim 1. Dependent claims 2-16, 18-31, 33-46, 48-62, 64-77 and 79-92 server to add further patentable limitations to their parent independent claims, and are patentable for at least the reason that their associated parent claims are allowable.

Claims 10, 15, 25, 30, 40, 45, 46, 56, 61, 71, 86 and 91

Serial No. 09/400,132

- 4 -

Art Unit: 2131

Claims 10, 15, 25, 30, 40, 45, 46, 56, 61, 71, 86 and 91 were rejected under 35 U.S.C. §103(a) as being unpatentable over Matsumoto and Foladare as applied to claim 2 above, and further in view of Kadansky, U.S. Patent 6,295,361.

Kadansky:

Kadansky describes a method and apparatus to allow a key manager node in a network to initiate the process of changing a group key for all nodes in a multicasting group. The key manager node initiates changing the group key by setting an indicator in the multicast packet. The group should obtain a new key from the key manager node. (Abstract).

However, Kadansky also fails to describe the step or element of “..... *selecting a virtual channel from a plurality of virtual channels for communications by the requestor in response to a desired time period of communication by the requestor...*” Accordingly, the combination of Kadansky with Matsumoto and Foladare fails to overcome the inadequacies of the references with regard to teaching the elements of the claims.

Serial No. 09/400,132

- 5 -

Art Unit: 2131

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Lindsay G. McGuinness, Applicants' Attorney at 978-264-6664 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

1/13/2004  
Date

Lindsay G. McGuinness  
Lindsay G. McGuinness, Reg. No. 38,549  
Attorney/Agent for Applicant(s)  
Steubing McGuinness & Manaras LLP  
125 Nagog Park Drive  
Acton, MA 01720  
(978) 264-6664

Docket No. 2204/156  
Dd: 11/13/03